

FEDERAL DEFENDANTS' EXHIBIT A

Wagner v. U.S. Dep't of Energy
Civil No. 08-00136-HG-KSC (D. Haw.)

1. Walter L. Wagner
2. P.O. Box 411
3. Honomu, HI 96728
4. (808) 964-5535

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7. **IN THE UNITED STATES DISTRICT COURT**
8. **NORTHERN DISTRICT OF CALIFORNIA**
9.

10. **--oo0oo--**

11.
12. Walter L. Wagner,
13. Plaintiff

Case No. C99-2226 MMC

14. Versus

15. U.S. Department of Energy,
16. Brookhaven National Laboratory,
17. Brookhaven Science Associates, Inc.,
18. RHIC Accelerator Group,
19. Satoshi Ozaki, Director of RHIC,
20. Does 1-999
21. Defendants

COMPLAINT

22. I
23. JURISDICTION

Plaintiff is a resident of the State of California.

Defendant Department of Energy is a Federal governmental agency.

Defendant Brookhaven Science Associates, Inc. is a N.Y. corporation.

Walter L. Wagner
P.O. Box 223273
Carmel, CA 93922-3273

or

P.O. Box 411
Honomu, HI 96728
(808) 964-5535

UNITED STATES DISTRICT COURT

C 99 - 2226

Walter L. Wagner
Plaintiff

Case No.: _____

vs.

Judge: _____

U.S. Department of Energy,
National Laboratory System,
RHIC Accelerator Group @ Brookhaven
Satoshi Ozaki, in his official capacity
as Director of RHIC Group,
Does 1-1,000,
Defendants

COMPLAINT and TRO REQUEST

I

JURISDICTION

Plaintiff is a resident of the State of California.

Defendant Department of Energy is a Federal governmental agency.

1. Defendant National Laboratory System is a governmental agency under the
2. Department of Energy, operating in the State of California, etc.

3. Defendant RHIC Accelerator Group is a branch of the National Laboratory
4. System, with a machine device located at Brookhaven, New York.

5. Defendant Satoshi Ozaki is the Director of the RHIC Accelerator Group.

6. The amount in controversy exceeds the jurisdiction of this court.

7. II

8. Defendants, and each of them, have constructed a machine, hereinafter referred to
9. as RHIC (Relativistic Heavy Ion Collider) for the purpose of colliding Gold and other
10. atoms together at very high speed, for the purpose of creating a new kind of matter,
11. hereinafter referred to as "Strange Matter". Attachment 3 of Affidavit of Walter L.
12. Wagner, and Attachment 2 of Affidavit of Walter L. Wagner detail the intent of
13. Defendants to create said Strange Matter. Defendants seek to make said RHIC machine
14. operational on or before June 15, 1999, as per the Attachment 1 of Affidavit of Walter L.
15. Wagner; Timeline For Startup of RHIC Collider.

16. Said RHIC machine is a novel machine in the world, with no other machine
17. having its capability of creating said Strange Matter.

18. Said Strange Matter has been predicted by many reputable nuclear theorists,
19. including Plaintiff herein, to be able to be created by the RHIC machine. Many of those
20. theorists have also predicted that said Strange Matter may come in more than one form.
21. One or more of those forms have been predicted to be able to undergo a spontaneous
22. nuclear-fusion reaction, similar in scope to the fusion reaction powering our sun. Such
23. theories predict that such fusion reaction would result in a runaway fusion reaction,

1. converting the Earth into a rapidly exploding body of strange matter, due to the resultant
2. large release of energy from the fusion reaction. The attached Exhibit "Affidavit of
3. Walter L. Wagner in Support of TRO" details the work of some of said theorists, etc., in
4. particular Attachments 4 & 5 of said Exhibit. Plaintiff herein is presently seeking to
5. locate the work of other such theorists.

6. Plaintiff has contacted Defendants herein for the purpose of seeking a stipulation
7. to the request for a Temporary Restraining Order. The attached Letter to Dr. Ozaki is a
8. copy of such request.

9. Defendants have prepared an Environmental Assessment report with respect to
10. their operation of RHIC. Said report is silent as to the production of this novel, more
11. stable type of matter, and the reported theoretical hazards. A full copy of said report is
12. contained in the attached Exhibit, as Attachment 8 of Affidavit of Walter L. Wagner.

13. Plaintiff is at risk of death with respect to the actions of Defendants. Plaintiff has
14. no reasonable alternative to this action, other than to request a Restraining Order against
15. Defendants from operating their machine. Plaintiff stands to suffer irreparable harm
16. should this court not so act (loss of his life). Plaintiff did not learn of Defendants'
17. incipient attempt to create strange matter until recently (March, 1999), and has spent the
18. past two months fully researching this matter, leaving him with only a very short notice
19. in which to prepare this request for TRO.

20.
21. Plaintiff reserves the right to amend this Complaint.
22.
23.

1. WHEREFORE, Plaintiff requests that this court preserve the status quo (wherein the
2. earth is composed entirely of normal nuclear matter) and restrain Defendants herein from
3. creating Strange Matter by issuing the attached Temporary Restraining Order, and the
4. Preliminary and Permanent Injunctions to follow.

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6. DATED: May 11, 1999

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9. _____
10. Walter L. Wagner,
11. Plaintiff
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